#### **MEETING NUMBER 3157**

JOURNAL OF PROCEEDINGS
BOARD OF TRUSTEES OF THE POLICE AND FIRE RETIREMENT SYSTEM
OF THE CITY OF DETROIT

#### **HELD THURSDAY, AUGUST 17, 2017**

9:00 A.M.

IN THE CONFERENCE ROOM OF THE RETIREMENT SYSTEMS 500 WOODWARD AVENUE, SUITE 3000, DETROIT, MICHIGAN 48226

#### TRUSTEES PRESENT

JOSEPH ENGLISH ELECTED TRUSTEE/FIRE MATTHEW GNATEK ELECTED TRUSTEE/POLICE

ANGELA R. JAMES EX/OFFICIO RETIRANT TRUSTEE/POLICE/HONORABLE MAYOR'S DESIGNEE

CHRISTA MCLELLAN EX/OFFICIO TRUSTEE/TREASURER

JOHN NAGLICK EX/OFFICIO TRUSTEE/FINANCE DIRECTOR JEFFREY PEGG ELECTED TRUSTEE/FIRE/VICE CHAIRMAN

PORTIA ROBERSON EX/OFFICIO TRUSTEE/HONORABLE MAYOR'S ALTERNATE

JOHN SERDA ELECTED TRUSTEE/POLICE/CHAIRMAN GREGORY TROZAK ELECTED RETIRANT TRUSTEE/POLICE JOHN G. TUCKER ELECTED RETIRANT TRUSTEE/FIRE

STEVEN WATSON EX/OFFICIO TRUSTEE/DIRECTOR OF SPECIAL PROJECTS-OFFICE OF CHIEF

FINANCIAL OFFICER/BUDGET DIRECTOR'S DESIGNEE

#### TRUSTEES EXCUSED

MARK DIAZ ELECTED TRUSTEE/POLICE

BRENDA JONES EX/OFFICIO TRUSTEE/HONORABLE CITY COUNCIL PRESIDENT MEGAN S. MOSLIMANI EX/OFFICIO TRUSTEE/CORPORATION COUNSEL'S ALTERNATE

SEAN P. NEARY ELECTED TRUSTEE/FIRE

#### TRUSTEES ABSENT

NONE

#### STAFF PRESENT

CYNTHIA A. THOMAS EXECUTIVE DIRECTOR

DAVID CETLINSKI ASSISTANT EXECUTIVE DIRECTOR RYAN C. BIGELOW CHIEF INVESTMENT OFFICER

RONALD A. KING GENERAL COUNSEL
JANET S. LENEAR RECORDING SECRETARY

#### STAFF EXCUSED

NONE

#### STAFF ABSENT

NONE

#### CHAIRMAN

#### **JOHN SERDA**

## VICE CHAIRMAN

#### **JEFFREY PEGG**

FOLLOWING A VERBAL ROLL CALL, CHAIRMAN SERDA CALLED THE MEETING TO ORDER AT 9:11 A.M.

AUGUST 17, 2017 AGENDA APPROVAL

BY TRUSTEE GNATEK - SUPPORTED BY TRUSTEE MCLELLAN

**RESOLVED**, THAT TODAY'S **AUGUST 17, 2017 AGENDA** BE APPROVED AS PREPARED AND SUBMITTED BY THE BOARD'S RECORDING SECRETARY:

YEAS – TRUSTEES ENGLISH, GNATEK, MCLELLAN, NAGLICK, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 8

NAYS - NONF

**HYBRID APPLICATION** 

BY TRUSTEE GNATEK – SUPPORTED BY TRUSTEE ENGLISH

**RESOLVED**, THAT THE **HYBRID APPLICATION** WHICH IS REFERENCED BELOW BE APPROVED:

HYBRID APPLICATION

NAME-TITLE-DEPARTMENT: ROBERT SELAKOWSKI – FIRE FIGHTER - FIRE

RETIREMENT TYPE-PLAN: HYBRID DROP – 2014 PLAN

SERVICE CREDIT-EFFECTIVE DATE: 02 10 00 – 05 02 17

YEAS – TRUSTEES ENGLISH, GNATEK, MCLELLAN, NAGLICK, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 8

NAYS - NONE

## **DROP APPLICATIONS**

#### BY TRUSTEE GNATEK – SUPPORTED BY TRUSTEE ENGLISH

RESOLVED, THAT THE DROP APPLICATIONS WHICH ARE REFERENCED BELOW BE APPROVED:

#### **DROP APPLICATIONS**

NAME-TITLE-DEPARTMENT: ROBERT SELAKOWSKI – SERGEANT - FIRE

RETIREMENT TYPE-PLAN: DROP - NEW SERVICE CREDIT-EFFECTIVE DATE: 23 00 14 – 23 00 14

NAME-TITLE-DEPARTMENT: LAMONT WILLIAMS – OFFICER - POLICE

RETIREMENT TYPE-PLAN: DROP - NEW SERVICE CREDIT-EFFECTIVE DATE: 17 01 19 - 07 24 17

YEAS – TRUSTEES ENGLISH, GNATEK, MCLELLAN, NAGLICK, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 8

NAYS - NONE

## <u>RECEIPTS</u>

THE FOLLOWING **RECEIPTS** WERE ACKNOWLEDGED BY THE BOARD:

## **RECEIPTS**

The Police & Fire Retirement System of the City of Detroit					
Receipts for Acknowledgement					
7/31/17-8/11/17					
Meeting #3157					
August 17, 2017					
REMITTER	WIRE DATE	DESCRIPTION	AMOUNT		
RECEIPTS					
FIRST INDEPENDENCE BANK	07/31/17	Loan Deductions	49,282.02		
FIRST INDEPENDENCE BANK	08/10/17	Loan Deductions	139,680.15		
CITY OF DETROIT	08/04/17	Weekly Mandatory Employee Contribution	257,241.80		
CITY OF DETROIT	08/04/17	Weekly Annuity Contribution	2,098.30		
CITY OF DETROIT	08/11/17	Weekly Mandatory Employee Contribution	85,476.52		
CITY OF DETROIT	08/11/17	Weekly Annuity Contribution	316.06		
		TOTAL RECEIPTS	\$ 534,094.85		

# DISBURSEMENTS

# BY TRUSTEE GNATEK – SUPPORTED BY TRUSTEE TROZAK

RESOLVED, THAT THE **disbursements** which are outlined below be approved:

# **DISBURSEMENTS**

The Police & Fire Retirement System of the City of Detroit				
Disbursements for Approval				
7/31/17-8/11/17				
Meeting #3157				
August 17, 2017				
PAYEE NAME		DESCRIPTION	AMOUNT	
DISBURSEMENTS				
Annuity Refunds		Refund List #3696	212,346.47	
Checkwrite		Capital Calls, Legal, Administrative & Misc. Expenses	0.00	
Loan Program		Loan Funding: Meeting No. 3156	31,535.00	
		TOTAL DISBURSEMENTS	\$ 243,881.47	

# **DISBURSEMENTS - CONTINUED**

# **DISBURSEMENTS - CONTINUED**

User: Category LEGAL EXF		- Ciai						
LEGAL EXF		awitt Branch: LEGACY Meetign Date: 8/17/17						
	PENSES							
Туре	Vendor Ref.	Vendor Name	BIII Description	Due Date	To Pa			
CHECK	12139	RACINE & ASSOCIATES	DPF v. Paramount 6/1/17-6/30/17	8/10/2017	7,628.4			
			Category Total:	1 Document	7,628.4			
INVESTME	NT EXPENSES							
Туре	Vendor Ref.	Vendor Name	Bill Description	Due Date	То Ра			
CHECK	2017	ADVENT CAPITAL MANAGEMENT, LLC	Management Fees - 2nd Qtr 117	8/30/2017	67,627.8			
CHECK	1889	ATIVO CAPITAL	Management Fees - 2nd Qtr 117	7/30/2017	35,403.8			
CHECK	BA172Q2314	BAIRD ADVISORS	Management Fees - 2nd Qtr 117	8/19/2017	50,506.4			
WIRE	2017	CREDIT SUISSE ASSET MANAGEMENT, LLC	Management Fees - 2nd Qtr 117	8/31/2017	41,588.8			
CHECK	20540	INCOME RESEARCH + MANAGEMENT INC.	Management Fees - 2nd Qtr 17	8/30/2017	48,923.5			
CHECK	2017	KENNEDY CAPITAL MANAGEMENT	Management Fees - 2nd Qtr 117	8/30/2017	185,528.0			
CHECK	20170331-7785-A	MORGAN STANLEY INVESTMENT MANAGEMENT	Management Fees - 1st Qtr'17	6/23/2017	96,093.3			
CHECK	20170630-7785-A	MORGAN STANLEY INVESTMENT MANAGEMENT	Management Fees - 2nd Qtr 117	8/30/2017	98,082.8			
CHECK	20160930-7785-A	MORGAN STANLEY INVESTMENT MANAGEMENT	Management Fees - 3rd Qtr '16	11/20/2016	98,321.3			
CHECK	20161231-7785-A	MORGAN STANLEY INVESTMENT MANAGEMENT	Management Fees - 4th Qtr*16	2/26/2017	94,318.8			
CHECK	1612-M617	PAYDEN & RYGEL	Management Fees - June 2017	8/16/2017	11,373.0			
WIRE	80917	PLATINUM EQUITY CAPITAL PARTNERS IV, L.P.	Capital Call Notice #9	8/23/2017	1,216,154.0			
CHECK	2017	SALIENT CAPITAL ADVISORS, LLC	Management Fees - 2nd Qtr 117	8/27/2017	138,925.0			
WIRE	80717	THL Credit Select Series - CLO Equity Fund	Capital Call	8/14/2017	1,063,628.0			
CHECK	11237477	WELLS CAPITAL MANAGEMENT	Management Fees - 2nd Qtr 17	8/24/2017	168,589.6			
CHECK	11235030	35030 WELLS CAPITAL MANAGEMENT	Management Fees - 2nd Qtr 17	8/12/2017	82,874.6			
		Category Total:	15 Documents	3,497,939.14				
ADMINISTR	RATIVE EXPENSES							
	Vender Det	VenderNess	DIII December	Due Det-	7. 7.			
Туре	Vendor Ref. 37244	Vendor Name 500 WEBWARD LLC	Bill Description Rent - August 2017	Due Date 8/31/2017	To Pa 23,765.0			
CHECK	0808217	ALEX BROWN REALTY		9/7/2017	23,765.0			
	W080417	BASSETT & BASSETT	Loan Servicing Fees - July 2017	9/3/2017	113.8			
CHECK	WUSU41/	DAGGETT & BASSETT	Web Development - June 2017	9/3/2017	113.8			

# **DISBURSEMENTS - CONTINUED**

# **DISBURSEMENTS - CONTINUED**

CHECK	300810016	CINTAS CORPORATION-300	Floor Mats	9/8/2017	79.23
WIRE	73117	ConnectPay	Staff Wages: 7/17/17-7/30/17	7/31/2017	8,843.78
CHECK	1197515	CREATIVE BREAKTHROUGHS INC	IT Security Services	8/30/2017	11,400.00
CHECK	INV022561	CRESTWOOD ASSOCIATES L.L.C.	Acumatica implementation	9/3/2017	50.00
CHECK	INV022860	CRESTWOOD ASSOCIATES L.L.C.	Acumatica implementation	9/10/2017	25.00
CHECK	5-591-56501	FEDEX	FedEx Mailings	9/8/2017	55.46
CHECK	5-885-10351	FEDEX	FedEx Mailings	9/1/2017	50.12
CHECK	177197	Fred Pryor Seminars	Pryor+ Switch Training Rewards	7/10/2017	25.00
CHECK	177196	Fred Pryor Seminars	Pryor+ Training Rewards	7/10/2017	298.50
CHECK	432410	GABRIEL, ROEDER, SMITH & CO	Actuarial Services for June/July 2017 and 2016 Valuation	9/10/2017	42,278.00
CHECK	14111608	HARLAND TECHNOLOGY SERVICE	Toner Supplies	9/1/2017	1,322.25
CHECK	201365591	IRON MOUNTAIN	Storage CD's	8/30/2017	658.99
CHECK	PBU1160	Iron Mountain Records Management	Records Storage	7/31/2017	1,613.89
CHECK	8421	KELLEY CAWTHORNE	Lobbyist Services - July 2017	8/31/2017	7,500.00
CHECK	3036	NASRA	New Job Posting	8/1/2017	500.00
CHECK	947949235001	OFFICE DEPOT	Office Supplies	9/1/2017	21.44
CHECK	947949232001	OFFICE DEPOT	Office Supplies	8/28/2017	79.50
CHECK	947949230001	OFFICE DEPOT	Office Supplies	8/30/2017	123.59
CHECK	947949231001	OFFICE DEPOT	Office Supplies	8/30/2017	14.99
CHECK	947949233001	OFFICE DEPOT	Office Supplies	8/30/2017	13.50
CHECK	947949234001	OFFICE DEPOT	Office Supplies	8/30/2017	11.69
CHECK	1457260	PLANTE & MORAN	Financial Statement Audit for 6/30/17	8/30/2017	13,600.00
CHECK	104583241	QUILL CORPORATION	Office Supplies	8/16/2017	17.57
CHECK	104583237	QUILL CORPORATION	Office Supplies	8/16/2017	44.05
CHECK	104583240	QUILL CORPORATION	Office Supplies	8/16/2017	23.38
CHECK	104583238	QUILL CORPORATION	Office Supplies	8/16/2017	8.99
CHECK	104583236	QUILL CORPORATION	Office Supplies	8/16/2017	13.50
CHECK	104582559	QUILL CORPORATION	Office Supplies	8/16/2017	452.76
CHECK	080717	REGINALD E. ONEAL	Medical Billing: 6/26/17-8/1/17	9/6/2017	1,575.00
CHECK	5049682647	RICOH	Printer Maintenance	8/31/2017	264.50
CHECK	77654	RUSSELL INVESTMENTS	Russell Index Subscriptions	8/25/2017	250.00
CHECK	8122790495	SHREDIT USA	Shredding Service Charges	8/21/2017	73.09
WIRE	109395	STOUT RISIUS ROSS, INC	PFRS Pension Assets 2017	8/30/2017	11,944.22
WIRE	1221324	UHY Advisors MI, Inc.	Professional Accounting Services for July 2017	8/30/2017	54,184.38
WIRE	1222202	UHY Advisors MI, Inc.	Professional IT Services for July 2017	8/30/2017	83,160.00
WIRE	1222180	UHY Advisors MI, Inc.	Professional IT Services for July 2017	8/30/2017	11,400.00
WIRE	152872	ULTIMATE PARKING MANAGEMENT LLC	Parking - August 2017	8/19/2017	2,479.00
WIRE	153784	ULTIMATE PARKING MANAGEMENT LLC	Parking - September 2017	8/19/2017	2,589.00
CHECK	99162586	WELLS FARGO VENDOR FINANCIAL SVCS, LLC	RICOH Color Copier Lease	8/7/2017	129.11

YEAS – TRUSTEES ENGLISH, GNATEK, MCLELLAN, NAGLICK, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 8

NAYS - NONE

## REFUNDS OF ACCUMULATED CONTRIBUTIONS

## BY TRUSTEE GNATEK – SUPPORTED BY TRUSTEE ENGLISH

**RESOLVED**, THAT THE CONTRIBUTIONS TO THE **ANNUITY SAVINGS FUND** BY MEMBERS OF THE POLICE AND FIRE RETIREMENT SYSTEM OF THE CITY OF DETROIT, INCLUDING INTEREST, BE REFUNDED PENDING AUDIT BY RETIREMENT SYSTEM ACCOUNTING STAFF:

LIST NUMBER 3696 - \$861,963.34

LIST NUMBER 3697 - \$348,935.90

YEAS – TRUSTEES ENGLISH, GNATEK, MCLELLAN, NAGLICK, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 8

NAYS - NONE

1974 DEFINED CONTRIBUTION PLAN (EMPLOYEE LOAN PROGRAM)

BY TRUSTEE GNATEK – SUPPORTED BY TRUSTEE NAGLICK

**RESOLVED**, THAT THE **1974 DEFINED CONTRIBUTION PLAN LOAN REQUEST LISTS** SUBMITTED THIS DATE BE APPROVED AND THE REQUESTED AMOUNTS BE DISBURSED PENDING AUDIT BY RETIREMENT SYSTEM ACCOUNTING STAFF:

LIST #1 - \$31,535.00

LIST #2 – \$28,925.00

YEAS – TRUSTEES ENGLISH, GNATEK, MCLELLAN, NAGLICK, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 8

NAYS - NONE

## JULY 20, 2017 MINUTE APPROVAL

## BY TRUSTEE GNATEK – SUPPORTED BY TRUSTEE TROZAK

**RESOLVED**, THAT THE **MINUTES** OF THE MEETING HELD **THURSDAY**, **JULY 20**, **2017** BE APPROVED AS RECORDED AND SUBMITTED BY THE BOARD'S RECORDING SECRETARY:

YEAS – TRUSTEES ENGLISH, GNATEK, MCLELLAN, NAGLICK, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 8

NAYS - NONE

## ASSISTANT EXECUTIVE DIRECTOR'S REPORT

ASSISTANT EXECUTIVE DIRECTOR **DAVID CETLINKSI** ASKED THE BOARD TO APPROVE AN ADDENDUM TO PLANTE & MORAN'S ENGAGEMENT LETTER; AND REMINDED THE TRUSTEES THAT THE BOARD WILL <u>NOT</u> MEET ON **AUGUST 24, 2017** OR **AUGUST 31, 2017**.

# PROFESSIONAL SERVICES AGREEMENT – AUDIT SERVICES ADDENDUM TO PLANTE & MORAN, PLLC ENGAGEMENT LETTER

#### BY TRUSTEE GNATEK – SUPPORTED BY TRUSTEE NAGLICK

**WHEREAS**, the Board has been requested to accept, approve and execute the Addendum to Plante & Moran, PLLC's Engagement Letter (dated July 18, 2017) between the Police and Fire Retirement System and Plante & Moran, PLLC with respect to the services specified in the "Scope of Services" section of said Engagement Letter, and

**WHEREAS**, the acceptance, approval, and execution of said document has been recommended by the Board's Assistant Executive Director, and

**WHEREAS**, said document has been reviewed and approved as to form by the Board's General Counsel, and

**WHEREAS**, the Board has discussed this matter, therefore be it

# PROFESSIONAL SERVICES AGREEMENT – AUDIT SERVICES ADDENDUM TO PLANTE & MORAN, PLLC ENGAGEMENT LETTER - CONTINUED

**RESOLVED**, that the Board hereby accepts and approves the Addendum to Plante & Moran, PLLC's Engagement Letter (dated July 18, 2017) between the Police and Fire Retirement System and Plante & Moran, PLLC, and be it further

**RESOLVED**, that said Addendum be executed on the Board's behalf, and be it further

**RESOLVED**, that the original executed document be forwarded to Plante & Moran, PLLC, and be it further

**RESOLVED**, that the Police and Fire Retirement System retain copies of the original executed document for its files, and be it further

**RESOLVED**, that a copy of this resolution be forwarded to Plante & Moran, PLLC:

YEAS – TRUSTEES ENGLISH, GNATEK, MCLELLAN, NAGLICK, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 8

NAYS - NONE

PUBLIC RELATIONS ADVISOR **BRUCE BABIARZ**ENTERED THE MEETING AT 9:24 A.M.

#### EXECUTIVE DIRECTOR'S REPORT

EXECUTIVE DIRECTOR CYNTHIA A. THOMAS HAD NOTHING TO REPORT.

#### CHIEF INVESTMENT OFFICER'S REPORT

CHIEF INVESTMENT OFFICER RYAN C. BIGELOWHAS NOT YET ATTENDED THE MEETING.

#### PUBLIC RELATIONS ADVISOR'S REPORT

PUBLIC RELATIONS ADVISOR **BRUCE BABIARZ** PROVIDED THE BOARD WITH A POST-CHAPTER 9 BANKRUPTCY UPDATE.

TRUSTEE **JEFFREY PEGG** ENTERED THE MEETING AT 9:28 A.M.

## LOBBYIST'S REPORT

LOBBYIST **OSCAR W. KING, III** PROVIDED THE BOARD WITH A BRIEF MICHIGAN LEGISLATIVE UPDATE.

## GENERAL COUNSEL'S REPORT

GENERAL COUNSEL **RONALD A. KING** INFORMED THE BOARD THAT THE BOARD'S AUGUST 11, 2017 SPECIAL MEETING, WHICH WAS SCHEDULED FOR THE PURPOSE OF ENTERING INTO CLOSED SESSION TO DISCUSS PENDING LITIGATION REGARDING THE WESTIN BOOK CADILLAC, HAD TO BE ADJOURNED BECAUSE THE REQUISITE NUMBER OF TRUSTEES WERE NOT PHYSICALLY PRESENT IN THE BOARD ROOM TO MEET THE TWO-THIRDS REQUIREMENT UNDER THE OPEN MEETINGS ACT TO ENTER INTO CLOSED SESSION.

## DOMESTIC RELATIONS ORDER: STIRLING VERSUS STIRLING

AMY STIRLING-LAMMERS SUBMMITTED AN AUGUST 8, 2017 APPEAL FOR THE TERMINATION OF LINDA STIRLING'S PENSION BENEFITS; AND MR. CETLINSKI PROVIDED MS. STIRLING-LAMMERS WITH NOTICE OF A TEN-DAY EXTENSION TO RESPOND TO HER AUGUST 2, 2017 FOIA REQUEST. ON AUGUST 15, 2017, MS. STIRLING-LAMMERS WITHDREW HER AUGUST 2, 2017 FOIA REQUEST AFTER DISCUSSING SAME WITH SPECIAL LEGAL COUNSEL SEAN GALLAGHER.

LOBBYIST OSCAR W. KING, III ENTERED THE MEETING AT 9:34 A.M.

# <u>VIRGINIA DOUGHERTY VERSUS ERIK DOUGHERTY</u>

COUNSEL KING ASKED THE BOARD TO APPROVE THE ELIGIBLE DOMESTIC RELATIONS ORDER OF VIRGINIA DOUGHERTY VERSUS ERIK DOUGHERTY.

RE: PENSION NUMBER: 231927 (ERIK DOUGHERTY)

Participant: ERIK DOUGHERTY

Alternate Payee: VIRGINIA DOUGHERTY

Virginia Dougherty v. Erik Dougherty, Case No.: 11-7120-DM

Macomb County Circuit for the State of Michigan, Mt. Clemens, Michigan

#### BY TRUSTEE PEGG – SUPPORTED BY TRUSTEE GNATEK

WHEREAS, the Board of Trustees for the Police and Fire Retirement System for the City of Detroit ("Board") is in receipt of an Eligible Domestic Relations Order ("EDRO") entered on December 3, 2013, which amends/supplements a Judgment of Divorce wherein Alternate Payee VIRGINIA DOUGHERTY is awarded certain rights to the retirement benefits of Participant ERIK DOUGHERTY, who is an active employee enrolled in the Deferred Retirement Option Plan ("DROP"), and

**WHEREAS**, Participant's date of birth is April 23, 1964, and to date Participant has attained 25 years of service credit, and

WHEREAS, the Board has been informed that Participant ERIK DOUGHERTY entered DROP on January 30, 2014, and

WHEREAS, the EDRO awards the Alternate Payee VIRGINIA DOUGHERTY a portion of the Participant's Component II Annuity Savings Fund, and

WHEREAS, the Alternate Payee VIRGINIA DOUGHERTY <u>IS</u> entitled to claim a portion of the Participant's Component II Annuity Savings Fund when the Participant is eligible to receive such benefits and as set forth in the EDRO and SUBJECT TO ALTERNATE PAYEE FILING AN APPLICATION FOR SAME, and

WHEREAS, the EDRO awards the Alternate Payee VIRGINIA DOUGHERTY a portion of the Participant's Component II Pension, and

WHEREAS, the Alternate Payee VIRGINIA DOUGHERTY <u>IS</u> entitled to claim a portion of the Participant's Component II Pension when the Participant is eligible to receive such benefits and as set forth in the EDRO and SUBJECT TO ALTERNATE PAYEE FILING AN APPLICATION FOR SAME, and

WHEREAS, the EDRO is subject to the following limitations, and

RE: PENSION NUMBER: 231927 (ERIK DOUGHERTY)

Participant: **ERIK DOUGHERTY** 

Alternate Payee: VIRGINIA DOUGHERTY

Virginia Dougherty v. Erik Dougherty, Case No.: 11-7120-DM

Macomb County Circuit for the State of Michigan, Mt. Clemens, Michigan - Continued

**WHEREAS**, Section 7 of the EDRO on page 4, purports to award the Alternate Payee a joint & survivor benefit that **IS NOT** available to Alternate Payee under the both the terms of the Retirement System and the straight life annuity option elected by the Participant, and

**WHEREAS**, Section 7 of the EDRO on page 4, is further subject to the limitations of Section 9(i) of the EDRO, which limits the EDRO to the form an option of benefits allowed by the Retirement System (referred to as the "Plan"), and

WHEREAS, the Alternate Payee VIRGINIA DOUGHERTY IS entitled to a Straight Life annuity pension based on her life, calculated based her entitlement to a portion of her exhusband's Component II Pension as of the valuation date as set forth in the EDRO, and

WHEREAS, paragraph 6 of Section 7 of the EDRO on page 5, entitled Death of the Participant After Benefit Commencement, purports to award the Alternate Payee an Option III 50% Joint Survivor Pension, however, the EDRO is again subject to the limitations of the Retirement System, and Section 9(i) of the EDRO, whereby the death of the Participant after the commencement of benefits will have no effect on the Alternate Payee's benefits because her benefits, once commenced, will be based on her own life, and not that of the Participant, and

**WHEREAS**, reference is made to the former address of the Plan in Section 1 of the EDRO, the Plan address has changed to Police and Fire Retirement System of the City of Detroit, Attn: Executive Director, One Detroit Center, 500 Woodward Avenue, Suite 3000, Detroit, Michigan 48226, and

WHEREAS, the EDRO provides for the parties to share the cost of the actuary's fees, and

**WHEREAS**, the Board has been advised by General Counsel concerning the applicable terms of said court order and finds those terms consistent with the provisions of the Retirement System and applicable law including Public Act 46 of 1991 (MCLA 38.1701) as applicable, therefore be it

**RESOLVED**, that the Board acknowledges receipt of said court order and shall pay pension benefits consistent with said court order and this resolution SUBJECT TO APPLICATION BEING FILED BY THE PARTY SEEKING PAYMENT, and be it further

RE: PENSION NUMBER: 231927 (ERIK DOUGHERTY)

Participant: ERIK DOUGHERTY

Alternate Payee: VIRGINIA DOUGHERTY

Virginia Dougherty v. Erik Dougherty, Case No.: 11-7120-DM

Macomb County Circuit for the State of Michigan, Mt. Clemens, Michigan - Continued

**RESOLVED**, that this file be forwarded to the Board's actuary for calculation of the benefits to be paid to the Alternate Payee, and be it further

**RESOLVED**, that a copy of this resolution be added to the Participant's pension file, and other appropriate records be kept for the Retirement System relative to this matter, and be it further

**RESOLVED**, that copies of this resolution be sent to Alternate Payee, Virginia Dougherty; Lori J. Finazzo, Alternate Payee's Legal Counsel; Participant, Erik Dougherty; and Ann M. Tobin-Levigne, Participant's Legal Counsel:

Yeas – Trustees English, Gnatek, McLellan, Naglick, Pegg, Trozak, Tucker, Watson and Chairman Serda – 9

Nays – None

## LOBBYIST'S REPORT

LOBBYIST **OSCAR W. KING, III** PROVIDED THE BOARD WITH A MICHIGAN LEGISLATIVE UPDATE.

TRUSTEE **ANGELA R. JAMES** ENTERED THE MEETING AT 9:55 A.M.; AND TRUSTEE **PORTIA ROBERSON**ENTERED AT 9:57 A.M.

#### WESTIN BOOK CADILLAC LITIGATION

THE BOARD WAS ASKED TO ENTER INTO CLOSED SESSION TO DISCUSS PENDING LITIGATION REGARDING THE ABOVE-CAPTIONED LITIGATION.

## **CLOSED SESSION**

## BY TRUSTEE GNATEK – SUPPORTED BY TRUSTEE ROBERSON

**RESOLVED**, THAT THE BOARD ENTER INTO CLOSED SESSION FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION REGARDING THE WESTIN BOOK CADILLAC:

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YEAS – TRUSTEES ENGLISH, GNATEK, JAMES, MCLELLAN, NAGLICK, PEGG, ROBERSON, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 11

NAYS - NONE

THE BOARD ENTERED INTO CLOSED SESSION AT 9:58 A.M.

TRUSTEE MARK DIAZ WAS AVAILABLE VIA TELECONFERENCE.

CHIEF INVESTMENT OFFICER RYAN C. BIGELOW ENTERED THE MEETING AT 10:10 A.M.; AND TRUSTEE GNATEK EXCUSED HIMSELF AT 10:55 A.M.

TRUSTEE **DIAZ** EXCUSED HIMSELF FROM THE TELECONFERENCE AT 10:59 A.M.

## OPEN SESSION

## BY TRUSTEE ROBERSON – SUPPORTED BY TRUSTEE TUCKER

**RESOLVED**, THAT THE BOARD RETURN TO OPEN SESSION:

YEAS – TRUSTEES ENGLISH, JAMES, MCLELLAN, NAGLICK, PEGG, ROBERSON, TROZAK, TUCKER, WATSON AND CHAIRMAN SERDA – 10

NAYS - NONE

THE BOARD RETURNED TO OPEN SESSION AT 11:00 A.M.

## ASSISTANT EXECUTIVE DIRECTOR RFP/CHIEF ACCOUNTING OFFICER RFP

CHAIRMAN **SERDA** INFORMED THE BOARD THAT THE JOINT PERSONNEL COMMITTEE (JPC) MET YESTERDAY, AUGUST 16, 2017, AND **MS. THOMAS** NOTED THAT SEVERAL RESPONSES TO POLICE AND FIRE'S ASSISTANT EXECUTIVE DIRECTOR AND THE SYSTEMS' CHIEF ACCOUNTING OFFICER REQUESTS FOR PROPOSALS WERE RECEIVED. THE COMMITTEE WILL COMMENCE INTERVIEWING APPLICANTS NEXT WEEK.

## PUBLIC FORUM

AT **11:23 A.M.**, **CHAIRMAN SERDA** DECLARED THE MEETING IN OPEN FORUM FOR GENERAL DISCUSSION BY THE PUBLIC ATTENDING THE MEETING.

## <u>ADJOURNMENT</u>

THERE BEING NO FURTHER BUSINESS BEFORE THE BOARD, **CHAIRMAN SERDA** ADJOURNED THE MEETING AT **11:23 A.M.** UNTIL **THURSDAY**, **SEPTEMBER 7**, **2017**, AT **9:00 A.M.**, IN THE CONFERENCE ROOM OF THE RETIREMENT SYSTEMS, 500 WOODWARD AVENUE, SUITE 3000, DETROIT, MICHIGAN 48226.

RESPECTFULLY SUBMITTED,

and Cethe.

DAVID CETLINSKI. ASSISTANT EXECUTIVE DIRECTOR